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5/19/2014

## **UNAPPROVED MINUTES OF THE ANNUAL WATER USERS MEETING**

January 13<sup>th</sup>, 2014 1:30pm

### **WATER DISTRICT 37**

Lincoln Co. Community Center, Shoshone Idaho

#### **ITEM #1 CALL TO ORDER**

Frederic Brossy called the First Annual Water District 37 Water Users meeting, held at the Lincoln County Community Center, to order at 1:36 pm on January 13<sup>th</sup>, 2014. F. Brossy noted that he served as the chairman for 2013. F. Brossy asked that because this is the first meeting for combined surface water and ground water users from District 37, District 37M, Big Wood River, Little Wood River and Silver Creek, for speakers to please introduce themselves before they speak.

#### **ITEM #2 SELECTION OF CHAIRMAN**

Gary Osborne made the motion that Frederic Brossy preside as the chairman of the January 13<sup>th</sup>, 2014 Water District 37 annual meeting. Sharon Lee seconded the motion. There was no discussion. The motion passed unopposed.

#### **ITEM #3 SELECTION OF SECRETARY**

Pepin Corso-Harris nominated Sunny Healey as secretary for the January 13<sup>th</sup>, 2014 Water District 37 annual meeting. Pat McMahon seconded the motion. There was no discussion. The motion passed unopposed.

#### **ITEM #4 APPROVAL OF THE MINUTES FROM THE 2013 ANNUAL MEETING**

Chairman Brossy requested time for people to read over the 2013 minutes for any additions or corrections.

Robert Struthers made a motion to approve the Meeting Minutes from the 2013 Water District 37, Big Wood River, Water District 37M, Little Wood and Silver Creek Annual Water Users Meeting January 7<sup>th</sup> 2013. Gary Osborne seconded the motion. There was no discussion. The motion passed unopposed.

#### **ITEM #5 SELECTION OF ADVISORY BOARD MEMBERS**

Chairman Brossy explained the process for selecting an advisory board for the newly formed Water District 37 with combined groundwater and surface water. Watermaster Kevin Lakey explained the difference between small and large groundwater users. K. Lakey listed all members currently serving on the Water District 37 Surface Water Advisory Board and the Upper Wood Rivers Water Measurement District Advisory Board. K. Lakey explained the makeup of the proposed 2014 Advisory Board for Water District 37. Chairman Brossy made a request for questions about the caucus. Nick Purdy asked for an explanation why there were previously two representatives for Silver Creek and now there is only one. K. Lakey explained that there was much more surface water than groundwater and that a nine member group represents the district better than an eleven member group. Katie Breckenridge asked for an explanation of a caucus. K. Lakey explained how the caucus worked and that although this is the first time Water District 37 has used a caucus, many other districts use the process. Alan Koyle asked if this process will continue into next year. F. Brossy replied that the District and the Board will determine how well it works and decide. F. Brossy requested the District members separate into caucus groups and choose representatives as follows: (2) Big Wood River: 1 Above Magic, 1 Below Magic, (1) Little Wood River/Silver Creek, (1) Hydropower, (2) Canal Companies/Irrigation Districts, (1) Groundwater Municipals, (1) Groundwater Small Users (less than 40 acres), (1) Groundwater Large Agricultural (larger than 40 acres). Water District 37 members separated into caucuses to nominate those who best represent the interest of the respective groups.

#### **Nominees as a result of the caucus:**

Big Wood River - Above Magic: Sharon Lee

Big Wood River - Below Magic: Howard Morris

Little Wood River/Silver Creek: Frederic Brossy

Hydropower: Bill Arkoosh

Groundwater Municipal: Pat McMahon

Groundwater Small Users: Dave Bell

Groundwater Large Users Agricultural: Robert Struthers, Alternate: Brett Stevenson

(2) Canal Co. / Irr. Districts: Dick Elliot, NSCC

Gary Osborne AFRD #2      Alternate: Harvey Brauburger BWCC

Alternate: Frank Erwin

Alternate: Pat Purdy

Alternate: Alan Koyle

Alternate: Fritz Haemmerle

John Arkoosh made a call for Credentials on Canal Companies/Irrigation Districts

Gerald Bashaw made a call for credentials on Groundwater Small Users

Tim Luke confirmed call for credentials. Kevin Lakey explained the ballot process and proposed a vote for Groundwater Small Users.

Discussion on call for credentials for canal companies and small groundwater users.

Motion made by Ann Giocobi to accept 9 nominations as candidates. Motion seconded by Pepin Corso-Harris. All in favor: 44. All opposed: 14.

Discussion on call for credentials voting process. Katie Breckenridge asked if everyone gets to vote. All members present can vote. Pepin Corso-Harris asked if the names of the nominees could be repeated. Chairman Brossy repeated the names aloud. Ryan Telford asked who exactly will be on the board; a person or a canal company/irrigation district. Chuck Newel suggested the groups meet and figure it out themselves. Robert Struthers asked if the two groups could re-caucus to work it out themselves.

Carl Pendleton made a motion for a 10 minute recess. Sharon Lee seconded the motion.

Reconvened at 1:01pm

Sharon Lee made a motion to accept the makeup of the proposed 2014 advisory Board for Water District 37. Motion seconded by Sharon Lewis. There was no discussion. The motion passed unopposed.

John Arkoosh withdrew the call for credentials for the Canal Company/Irrigation District nominees.

Discussion on call for credentials on Groundwater Small Users. Chairman Brossy announced the voice vote has failed. Kathy Noble from the small groundwater users group said the group had made their choice. Alan Koyle explained that a credentials vote is not about questioning the credentials of the nominee but rather how much their vote counts. Cyndi McCowan explained that the word comes from the statute regarding the credentials committee. Jim Speck explained that one of the resolutions was to establish this type of vote and that a resolution was needed. Chairman Brossy asked if this agenda item could be tabled until the end so that we could get on with the meeting.

Motion made by Nick Purdy to table credentials vote until the end of the meeting and continue with the agenda. Motion seconded by Wes Tinsley (seconded twice). There was no discussion. The motion passed unopposed.

#### ITEM #6 ADOPTION OF 2014 DISTRICT 37 BUDGET

Watermaster Kevin Lakey gave an overview of the 2014 budget. This budget included 37 and 37M, surface water and groundwater. There will be three deputies recording wells, one new deputy that serves groundwater only. Kevin Lakey will do the job as hydrographer which will save money. Frank Erwin asked if there would be any big changes in surface water or groundwater assessments. *K. Lakey explained that the minimum fee will increase from \$40 to \$50 and \$0.705/24hr cfs will be charged for wells. There are about 485 wells that cost about \$75/well to make up the \$39,000.* Not all wells have been tagged or measured. Small water users are required to have measuring devices by 2014. Wells will be measured twice per year at a rate of ~90wells/week. For wells with no flow data from 2013, the 2014 assessment will be estimated using the full water right and charged for 100 days of use and that rate will be used to calculate the five year average. Ryan Telford asked if they were going to be able to measure all the wells. K. Lakey responded that they would and that the use of maps with GPS technology has been helping. Carl Pendleton asked if Cyndi McCowan's hours would increase from four to five days a week. C. McCowan responded that she will get the job done. She has been working from home and sometimes Fridays and Saturday.

Motion by Robert Struthers to adopt the 2014 District 37 budget as presented. Motion seconded by John Miley. There was no discussion. Motion passed unopposed.

Robert Struthers thanked K. Lakey, C. McCowan and District 37 for creating a fair budget. He commented on a job well done. F. Brossy said Robert Struthers should be recognized for all his great work as the hydrographer.

#### ITEM #7 ADOPTION OF RESOLUTIONS FOR 2014

Watermaster Kevin Lakey read and explained the 13 resolutions aloud. K. Lakey noted that because groundwater use will be assessed year round, surface water will be assessed year round as well. Chairman Brossy asked for any questions about the resolutions. Dean Rogers asked if groundwater use would be assessed for the full water right and gave the example that in a dry year like this his wells would not be flowing like two years ago. K. Lakey replied yes and commented that 100 days is not perfect and about the benefit of measuring devices. Sharon Lewis asked about cases where there is no measuring device for water re-entering the creek. K. Lakey replied that because water for irrigation is assumed to be used to the full extent and some rights, such as aesthetic, are non-consumptive it is beneficial to measure water re-entering the creek.

A Motion by Gary Osborne to pass the resolutions as presented. Motion seconded by Robert Struthers. There was no further discussion. Motion passed unopposed.

#### ITEM #8 DISTRICT NEWS AND UPDATES

##### Mitigation District

Chairman Brossy urged groundwater users in District 37 to form a groundwater district to be proactive and assess themselves to mitigate potential water calls during conjunctive administration. F. Brossy asked Tim Luke to give an overview of groundwater districts. T. Luke suggested having a separate meeting to discuss the topic and announced he would be giving a presentation in Hailey, Idaho March 7<sup>th</sup> 2014. T. Luke said a groundwater district is formed much the same way as an irrigation district that a petition must be signed from users in a certain area, and it would then go to the county commissioners. T. Luke said that IDWR would make comments and that groundwater irrigation rights are usually the only users involved. Groundwater districts were developed in the mid-1990's to help manage delivery calls. The board of directors has a broad authority. Sharon Lewis asked if forming a groundwater district would separate Water District 37 into two districts again. F. Brossy and T. Luke explained the difference between a groundwater district and a water district. The purpose of a ground water district is to mitigate calls on delivery. The purpose of a water district is to manage water delivery and assessment. Forming a groundwater district provides protection for individual users. K. Lakey announced that Jim Bartolino (USGS) will be presenting information about the ground water model at the meeting on March 7<sup>th</sup>. K. Lakey suggested for surface water users to make a plan to solve disagreements without litigation. Patti Lucene from the Wood River Land Trust (WRLT) announced the purpose and location of the meeting: The Nature Conservancy, University of Idaho and WRLT planned a workshop to learn about conjunctive management and water conservation Friday March 7<sup>th</sup> at 9:00am at the Community Campus in Hailey, Idaho. There will also be announcements via direct mail.

##### Meeting schedule

Chairman Brossy announced the Water District 37 meeting schedule as follows:

2 <sup>nd</sup> Monday in January	Annual Meeting
2 <sup>nd</sup> Tuesday in February	Audit Presentation
2 <sup>nd</sup> Tuesday in April	General Business
2 <sup>nd</sup> Tuesday in September	Budget Planning
2 <sup>nd</sup> Tuesday in December	Finalize Budget and Annual Meeting Discussion

##### Meter List Update

Watermaster Lakey explained that small groundwater users (< 40 acres) were not required to install measuring devices until 2014. Many users have not installed new meters because of price. A list of IDWR approved closed conduit flow meters was provided at the meeting. There is a new Badger e-series available. There was some confusion if after the groundwater measurement district is dissolved that meters will not be required. Tim Luke confirmed that meters will still be required.

Kevin Lakey announced that the Idaho Department of Water Resources Southern Region office will be moved from the old location (near Pole Line Road) to the old hospital on Addison Avenue West in Twin Falls.

#### ITEM #5 SELECTION OF ADVISORY BOARD MEMBERS continued

Chairman Brossy asked Gerald Bashaw if the credential call on the small groundwater user's nominees still stood. G. Bashaw replied that it did. Jim Lasky suggested taking a vote. Dan Van Der Meulen asked for the nominees to address Water District 37 for the vote. Jim Lasky said he has 1 acre and he has some experience and is interested in the outcome. Dave Bell said he has 1.5 acres, has served on the groundwater advisory committee and wanted to figure it out for his water and others. The suggested vote was overridden by the credential call.

F. Brossy appointed the credential committee for verification of ballots:

Carl Pendleton

Rob Struthers

Sharon Lee

Discussion about voting. Each member was given a ballot to vote for Jim Lasky or Dave Bell. Ballots were cast and meeting was adjourned for those who could not stay for the verification process.

Results: Dave Bell \$184,436.56 Jim Laski \$25,589.35

ITEM # Adjournment

Chairman Brossy adjourned the meeting at 4:40pm

Respectfully,

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Frederic Brossy

Chairman

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Cyndi McCowan

Sec/Treas

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Sunny Healey

Secretary